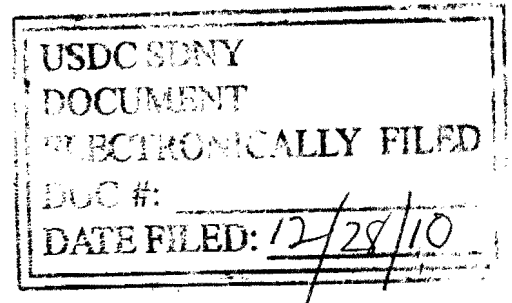


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- X
IN RE: INITIAL PUBLIC OFFERING
SECURITIES LITIGATION

ORDER

MASTER FILE NO. 21 MC
92 (SAS)

----- X
SHIRA A. SCHEINDLIN, U.S.D.J.:

On June 17, 2010, this Court granted plaintiffs' motion for a bond pursuant to Rule 7 of the Federal Rules of Appellate Procedure and ordered objectors-appellants to post \$25,000 for which all objectors-appellants were jointly and severally liable. *See In re Initial Public Offering Sec. Litig.*, 21 MC 92, 2010 WL 2505677 (S.D.N.Y. June 17, 2010). On July 16, 2010, the objectors-appellants deposited \$25,000 with the Clerk of Court in accordance with the June 17, 2010 Order. On October 5, 2010, thirteen objectors dismissed their appeals by stipulation, with each party bearing its own costs.¹

On November 4, 2010, the Settling Objectors moved this Court to release their share of the bond upon the replacement deposit by the non-settling

¹ These objectors included: JKM Company; Steven Miller, individually and as trustee of the Steve A. Miller P.C. Profit Sharing Plan; Jackie Pio; David Murray; James Mary and Mark Merrill; Ernest Browne, Jr.; Susan Browne; Richard Paul Warren SEP; D&S Partnership #2; Vondell Tyler; Lester Baum; Mike Hart; and Sue Shadley ("Settling Objectors").

objectors-appellants whose appeals remain pending. Upon due consideration of that motion, it is hereby:

ORDERED that the remaining non-settling objectors-appellants are required to post \$21,875, the amount of the posted \$25,000 that must be released to the Settling Objectors. Such payment must be made by non-settling objectors-appellants by January 18, 2011. A failure to post such funds will violate this Court's June 17, 2010 Order and may result in dismissal of the appeal by the remaining non-settling objectors-appellants; and it is further

ORDERED that Theodore Bechtold, Esq., attorney for 42 non-settling objectors-appellants shall cause a copy of this Order to be delivered to his clients immediately; and it is further

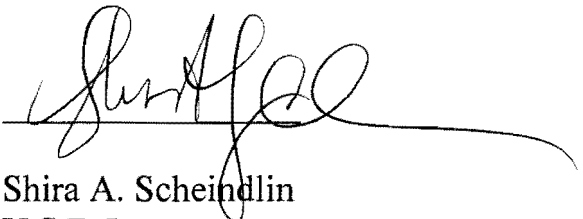
ORDERED that upon the deposit of \$21,875 by the remaining non-settling objector-appellants, the Clerk of Court shall release to Jeffrey Weinstein, Esq., acting on behalf of the Settling Objectors, the sum of \$21,875 of the \$25,000 deposited with the cashier's office under Objectors Receipt Number 909152; and it is further

ORDERED that the Settling Objectors are relieved of their joint and several obligations to post a bond to the extent that replacement deposit of released funds is made by non-settling objectors-appellants; and it is further

ORDERED that should the non-settling objectors-appellants fail to

post the required funds by January 18, 2011, plaintiffs are directed to move to dismiss the appeal and may also move for such other and further relief as this Court has the power to order.

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

Dated: December 27, 2010
New York, New York

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